

**NEW UTILITY PATENT APPLICATION TRANSMITTAL***(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))*Docket No.  
23415-027Total pages in this  
submission**TO THE COMMISSIONER FOR PATENTS****Mail Stop Patent Application****Arlington, VA 22202**

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application, for an invention entitled:

**"SYSTEM AND METHOD FOR DETECTING AND PREVENTING ATTACKS TO A TARGET COMPUTER SYSTEM"**

And invented by:

**Jason Whitman Keith Brothers and Peter Dennis Bartok**

**IF A CONTINUATION APPLICATION**, check appropriate box and supply requisite information:

☐

Continuation

☐

Divisional

☐

Continuation-in-part (CIP) of prior application Nos.: \_\_\_\_\_

Enclosed are:

**Application Elements**

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 33 pages and including the following:
  - a. ☐ Cross-reference to related application
  - b. ☐ Claim to priority
  - c. ☐ Statement regarding Federally-sponsored research/development (*if applicable*)
  - d. ☒ Field of the invention
  - e. ☒ Background of the invention
  - f. ☒ Summary of the invention
  - g. ☒ Brief description of the drawings
  - h. ☒ Detailed description of the invention
  - i. ☒ Claims as classified below
  - j. ☒ Abstract of the disclosure

**Application Elements (continued)**

3. ☒ Drawing(s) (when necessary as prescribed by 35 U.S.C. 113)  
☒ Formal ☐ Informal Number of sheets: 3 (Figs. 1-3)
4. ☒ Oath or Declaration  
a. ☒ Newly executed (original or copy) ☐ Unexecuted  
b. ☐ Copy from a prior application (37 C.F.R. 1.63(d) (for continuation/divisional applications only)  
c. ☒ With Power of Attorney ☐ Without Power of Attorney
5. ☐ Incorporation by reference (usable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is Supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Computer program in microfiche
7. ☐ Genetic sequence submission (if applicable, all must be included)  
a. ☐ Paper copy  
b. ☐ Computer readable copy  
c. ☐ Statement verifying identical paper and computer readable copies

**Accompanying Application**

8. ☒ Assignment papers (cover sheet & document(s))
9. ☐ 37 C.F.R. 3.73(b) statement (when there is an assignee)
10. ☐ English translation document (if applicable)
11. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☐ Certified copy of priority document(s) (if foreign priority is claimed)
15. ☐ Certificate of Mailing  
☐ First Class ☐ Express Mail (Label No.: \_\_\_\_\_ )
16. ☐ Small Entity statement(s) -- # submitted \_\_\_\_\_ (if Small Entity status claimed)

**Accompanying Application (continued)**

- 17.
- ☒
- Additional enclosures (please identify below):

Application Data Sheet, Nonpublication Request

**Fee Calculation and Transmittal**

The filing fee for this utility patent application is calculated and transmitted as follows:

☒ Large Entity      ☐ Small Entity

<b><u>CLAIMS AS FILED</u></b>						
For	# Filed	# Allowed	# Extra	Rate	Fee	
Total Claims	30	- 20 =	10	x \$18.00	\$180.00	
Independent Claims	4	- 3 =	1	x \$86.00	\$86.00	
Multiple Dependent Claims (check if applicable)				<input type="checkbox"/>		
Other Fees (specify purpose): Assignment Recordation fee					\$40.00	
BASIC FEE					\$770.00	
TOTAL FILING FEE					\$1,076.00	
Reduced by 1/2 for Small Entity					\$	

☒ Check in the amount of \$1,076.00 to cover the total filing fee is enclosed.☒ The Commissioner is hereby authorized to charge and Deposit Account No. 50-0311 as described below. A duplicate copy of this sheet is enclosed.☐ Charge the amount of \_\_\_\_\_ as filing fee.☒ Credit any overpayment.☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.31(b).  
Sean L. Ingram, Attorney Reg. No. 48,283Dated: January 12, 2004MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC  
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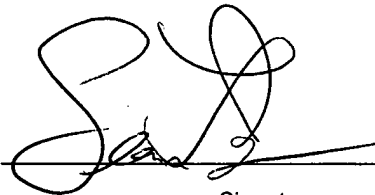
Customer No. 29315

<b>NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Jason Whitman Keith BROTHERS
	Title	SYSTEM AND METHOD FOR DETECTING AND PREVENTING ATTACKS TO A TARGET COMPUTER SYSTEM
	Atty Docket Number	23415-027

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 12, 2004

Date

  
Signature

CUSTOMER NO. 29315

Sean L. Ingram, Reg. No. 48,283

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.